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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW
(Legislative Department)

New Delhi, the 24th December, 1970/Pausa 3, 1892 (Saka)

The following Acts of Parliament received the assent of the President on the 24th December, 1970, and are hereby published for general information:—

THE TEA DISTRICTS EMIGRANT LABOUR (REPEAL) ACT 1971
No. 50 OF 1970

[*24th December*, 1970]

An Act to provide for the repeal of the Tea Districts Emigrant Labour Act, 1932, and for matters connected therewith.

BE it enacted by Parliament in the Twenty-first Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Tea Districts Emigrant Labour (Repeal) Act, 1970.

Repeal of Act 22 of 1932.

2. The Tea Districts Emigrant Labour Act, 1932, is hereby repealed.

Savings.

22 of 1932.

3. Notwithstanding the repeal of the Tea Districts Emigrant Labour Act, 1932, by section 2, and notwithstanding anything to the contrary contained in the said Act,—

(*a*) every emigrant labourer in whose case, on the 3rd day of August, 1960, a period of three years from the date of his entry into Assam had not expired,

(b) every emigrant labourer entering Assam on or after the 3rd day of August, 1960, being the date of the Agreement arrived at at the Ninth Session of the Industrial Committee on Plantations, and before the commencement of this Act, and

(c) every emigrant labourer who is in Assam immediately before the commencement of this Act and whose right of repatriation has not been waived or forfeited by agreement or otherwise under any provisions of the said Act,

shall, as from the date of expiry of a period of three years from the date of his entry into Assam, whether such expiry occurs before or after the commencement of this Act, have the right to be repatriated, and may be repatriated, under the said Act, as if it had not been repealed and the provisions of the said Act in so far as they relate to the enforcement of the right of repatriation of emigrant labourers shall continue to apply as if for the references therein to the Controller, references to the State Government of Assam or an officer authorised by that Government in this behalf had been substituted:

Provided that no such emigrant labourer shall have the right to be so repatriated unless he makes an application in this behalf—

(a) within a period of six months from the commencement of this Act, where the aforesaid period of three years has expired before such commencement, or

(b) within a period of six months from the date of expiry of the aforesaid period of three years, where the latter period expires after such commencement.

THE CENTRAL LABOUR LAWS (EXTENSION T AMMU AND KASHMIR) ACT, 1970

[24*th December*, 1970]

NO. 51 OF 1970

An Act to provide for the extension of certain Central labour laws to the State of Jammu and Kashmir.

BE it enacted by Parliament in the Twenty-first Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Central Labour Laws (Extension to Jammu and Kashmir) Act, 1970.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Extention and amendment of certain labour laws.

2. (1) The Acts mentioned in the Schedule and all rules, orders, regulations and schemes made thereunder by the Central Government are hereby extended to, and shall be in force in, the State of Jammu and Kashmir.

(2) With effect from the commencement of this Act, the Acts mentioned in the Schedule shall be amended as specified therein.

Construction of references to laws not in force in Jammu and Kashmir.

3. Any reference in any Act mentioned in the Schedule to a law which is not in force in the State of Jammu and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.

Construction of references to authorities where new authorities have been constituted.

4. Any reference by whatever form of words in any law for the time being in force in the State of Jammu and Kashmir to any authority competent at the date of the passing of that law to exercise any powers or discharge any functions in that State shall, where a corresponding new authority has been constituted by or under any law now extended to that State, have effect as if it were a reference to the new authority.

Repeals and savings.

5. If immediately before the commencement of this Act there is in force in the State of Jammu and Kashmir any law corresponding to any Act now extended to that State, that law shall, save as otherwise expressly provided in this Act, stand repealed on such commencement:

Provided that the repeal shall not affect—

(*a*) the previous operation of any law so repealed or anything duly done or suffered thereunder,

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed,

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed, or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed:

Provided further that, subject to the preceding proviso, anything done or any action taken (including any appointment or delegation made, notification, instruction or direction issued, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected) under any such law shall be deemed to have been done or taken under the corresponding provisions of the Act now extended to that State, and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the said Act.

Power to remove difficulties.

6. (*1*) If any difficulty arises in giving effect to the provisions of any Act now extended to the State of Jammu and Kashmir, the Central Government may, as occasion may require, by order notified in the Official Gazette, make such provisions or give such directions, not inconsistent with the provisions of such Act, as appear to it necessary for the removal of the difficulty:

Provided that no such order shall be made under this section after the expiration of two years from the date on which this Act comes into force

(2) In particular, and without prejudice to the generality of the foregoing power, any such notified order may—

(a) specify the corresponding authorities within the meaning of section 4,

(b) provide for the transfer of any matter pending immediately before the commencement of this Act before any court, tribunal or other authority, to any corresponding court, tribunal or other authority for disposal,

(c) specify the areas or circumstances in which, or the extent to which, or the conditions subject to which, anything done or any action taken (including any of the matters specified in the second proviso to section 5) under any law repealed by that section shall be recognised or given effect to under the corresponding provision of the Act now extended.

THE SCHEDULE

(*See* section 2)

ACTS

THE WORKMEN'S COMPENSATION ACT, 1923

(8 OF 1923)

Section 1.—In sub-section (2) omit "except the State of Jammu and Kashmir".

Section 3.—In sub-sectoin (3), omit "within the State or the territories to which this Act extends, as the case may be,".

THE TRADE UNIONS ACT, 1926

(16 OF 1926)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

Section 16.—After sub-section (2), insert—

"(2A) In its application to the State of Jammu and Kashmir, references in sub-section (2) to any legislative body constituted under the Constitution shall be construed as including references to the Legislature of that State.".

Section 21A.—After sub-section (2), insert—

"(3) In its application to the State of Jammu and Kashmir, reference in sub-section (2) to the commencement of the Indian Trade Unions (Amendment) Act, 1964, shall be construed as reference to the commencement of this Act in the said State.". 38 of 1964.

THE CHILDREN (PLEDGING OF LABOUR) ACT, 1933

(2 OF 1933)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

THE PAYMENT OF WAGES ACT, 1936

(4 OF 1936)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

THE EMPLOYERS' LIABILITY ACT, 1938

(24 OF 1938)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

THE EMPLOYMENT OF CHILDREN ACT, 1938
(26 OF 1938)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

Section 3B.—Re-number section 3B as sub-section (*1*) of that section and after sub-section (*1*) as so re-numbered, insert—

"(2) In its application to the State of Jammu and Kashmir, reference to the 1st day of October, 1939, shall be construed as reference to the commencement of this Act in the said State.".

THE WEEKLY HOLIDAYS ACT, 1942
(18 OF 1942)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946
(20 OF 1946)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE INDUSTRIAL DISPUTES ACT, 1947
(14 OF 1947)

Section 1.—In sub-section (*2*), omit the proviso.

THE COAL MINES LABOUR WELFARE FUND ACT, 1947
(32 OF 1947)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE MINIMUM WAGES ACT, 1948
(11 OF 1948)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE EMPLOYEES' STATE INSURANCE ACT, 1948
(34 OF 1948)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE COAL MINES PROVIDENT FUND AND BONUS SCHEMES ACT, 1948
(46 OF 1948)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE FACTORIES ACT, 1948
(63 OF 1948)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE WORKING JOURNALISTS (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS ACT, 1955
(45 OF 1955)

Section 1.—In sub-section (*2*), omit "except the State of Jammu and Kashmir".

THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) ACT, 1959

(31 OF 1959)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

THE MOTOR TRANSPORT WORKERS ACT, 1961

(27 OF 1961)

Section 1.—(*a*) In sub-section (2), omit "except the State of Jammu and Kashmir".

(*b*) To sub-section (3), add—

"Provided that it shall come into force in the State of Jammu and Kashmir on the commencement of the Central Labour Laws (Extension to Jammu and Kashmir) Act, 1970.".

THE MATERNITY BENEFIT ACT, 1961

(53 OF 1961)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

THE PAYMENT OF BONUS ACT, 1965

(21 OF 1965)

Section 1.—(*a*) In sub-section (2), omit "except the State of Jammu and Kashmir".

(*b*) To sub-section (4), add—

"Provided that in relation to the State of Jammu and Kashmir, the reference to the accounting year commencing on any day in the year 1964 and every subsequent accounting year shall be construed as reference to the accounting year commencing on any day in the year 1968 and every subsequent accounting year.".

N. D. P. NAMBOODIRIPAD,

Joint Secy. to the Govt. of India.

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